



### Improving Public and Worker Safety at Oil Refineries

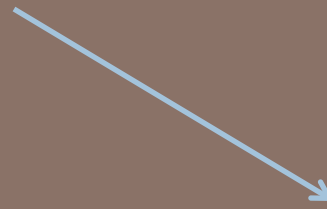
Report of the Interagency Working Group on Refinery Safety



Edmond G. Brown Jr.  
Governor

# CALIFORNIA INTERAGENCY REFINERY TASK FORCE

- Emergency management and response
- Safety and prevention
- Public education and outreach
- Enforcement Coordination
- Improved agency coordination through the establishment of an Interagency Refinery Task Force



- Communication between Response Officials
- Coordinating Command during any event
- Plans and Protocols to Protect Persons Outside of a Refinery
- Drills and Exercises
- Coordination with the Air Quality Management Districts



CALARP REGULATION DRAFT  
PROPOSED AMENDMENTS-  
APPLICABLE TO PETROLEUM  
REFINERIES  
EMERGENCY RESPONSE  
PROGRAM

# Key Points

- The proposed requirements:
  - ▣ Are already being conducted to some extent by the refineries
  - ▣ Are “reasonable and appropriate” for the hazards presented
  - ▣ Help refineries meet the intent of the “[Report of the Interagency Working Group on Refinery Safety-Protecting Public and Worker Safety at Refineries,](#)” (February, 2014) [Spanish](#) )
  - ▣ Are intentionally broadly performance based with the intent of encouraging:
    - Partnerships among Public/Private/NGOs
    - Innovative solutions
  - ▣ To be accompanied by a guidance document developed after adoption, assisted by interested parties

# Labor and Industry Comments 9-7-16

- 2765.3(a) the term “and annually thereafter” concerns WSPA because of the CUPA and facility work load. Current requirements are every 3 years and if significant changes are made. Look at CalARP PSM language.
  - Second sentence is open ended and is of concern. The schedule needs something that is within the ERP cycle. Possible similar language to PSM Incident Investigation timeline
- 2765.3(b) The refineries seem more comfortable with the existing RMP worst case offsite consequence analysis.
- 2765.3(c)(4)(C) Look at the CalARP PSM for language or list specific OSHA standards (including but not limited to).
- 2765.3(d) there is concern over the emergency air monitoring and detection systems requirement for flammable materials because the RMP requires the 1.0 psi overpressure model for the RMP worst case offsite consequence analysis, which doesn't make sense in this case. Possibly define as Toxic hazard only??

# § 2765.1 Emergency Response Applicability.

- (a) Except as provided in section (b), the owner or operator of a stationary source with Program 2 and Program 3 processes shall comply with the requirements of Section 2765.2. In addition, the owner or operator of a petroleum refinery\* shall comply with the requirements of Section 2765.3.

\* (tt) “Petroleum refinery” means a stationary source engaged in activities set forth in North American Industry Classification System (NAICS) code 324110. (proposed, TITLE 19. PUBLIC SAFETY DIVISION 2. CHAPTER 4.5 )

# § 2765.3 Emergency Response Program for Petroleum Refineries

- Within 12 months... and annually thereafter, the... petroleum refinery shall update and implement its Emergency Response Program to reflect the requirements of Section 2765.3.
- For any elements that may take longer than 12 months, the refinery shall develop a schedule with the UPA for implementation.

(a)

- The Emergency Response Plan that is developed ... shall be submitted to the UPA for review and evaluation, pursuant to section 2745.2.
- The... petroleum refinery shall notify the UPA of any significant Emergency Response Program changes after the latest submittal of the Emergency Response Plan.
- The UPA may engage a third party to assist in the review and evaluation of the Emergency Response Plan and Program and charge the refinery reasonable fees.

(b)

- In consultation with the UPA, the air district, and the community, the... petroleum refinery shall designate a geographic primary zone subject to potential direct offsite impacts of a release and a secondary zone that may reasonably be affected by the consequences of a release such as traffic patterns of persons evacuating the impacted area, evacuation sites, emergency vehicles entering the impacted area, and medical facilities where victims may attempt to access.
- The primary zone shall not be less than the outer limit of the Worst Case Scenario.



## (c)(1)

- The... petroleum refinery shall ensure the Emergency Response Program includes provisions that address the following components for the geographic zone designated in Section 2765.3(b):
- An effective outreach program in the primary and secondary zones and notification systems in the primary zone that informs the public of potential hazards, the means by which they will be notified in the event of a release or threatened release, actions they should take, and how to obtain additional information.
- The community outreach program shall include provisions that address:

# (A)-(G)

- The use of multiple languages;
- The use of multiple and varying communication technologies;
- Communication and recommendations for people with functional and access needs;
- Communication with emergency response agencies and organizations, the community and institutions including, but not limited to, local medical facilities, schools, transit agencies, railroads, utilities, employers who may have workers in the field and areas where populations congregate, such as sporting, shopping, and cultural venues;
- Regular testing and maintenance schedule of existing physical and technological communications; including coordination with the UPA;
- Potential gaps in the community outreach and notification systems identified;
- Plans to minimize or eliminate potential gaps in the community outreach and notification systems as identified in subsection (F).

## (2)(A)

- Procedures and measures for... establishment of an Unified Command within the Standardized Emergency Management System when multiple agencies may be involved in responding to an incident, and... how the mandated needs, policies, procedures, and guidelines of response and regulatory agencies are incorporated into the emergency management organizational structure.
  - Refinery shall provide information on the chemical release and full disclosure of available health information, regardless of trade secrets.

# (3)

- ... process for accessing sufficient resources available to address onsite and offsite impacts, and how those resources fit into the emergency management organizational structure (including readiness, capabilities and capacities), within the geographic zones designated in 2765.3(b). Resources shall include those under the direct control of the petroleum refinery and those resources that can be immediately accessed by the petroleum refinery, including:

# (A)-(G)

- Identification of mutual aid providers;
- Identification of external response organizations;
- Materiel and trained personnel, based on the expected emergency management, response, support job functions and type of release;
- Interoperable communications between the petroleum refinery and the local emergency responding agencies and other private and non-governmental organizations that will support emergency response activities;
- Types and amounts of response equipment;
- Availability of medical and emergency medical services, including decontamination of contaminated victims; and
- Resources needed for demobilization.

## (4)(A)-(C)

- Training and competencies for personnel relevant to their expected job functions regarding emergency management, response and support, including, but not limited to:
  - ▣ The Standardized Emergency Management System;
  - ▣ The National Incident Management System; and
  - ▣ Applicable worker safety standards.

(5)

- A master schedule and procedures for conducting annual drills and exercises to maximize the safe and effective response to a release or threatened release. Drills and exercises shall:

# (A)-(F)

- Be modeled after drills, tabletop, functional, and full scale exercises... the Homeland Security Exercise Evaluation Program, MARSEC, or other recognized program;
- Assess plans, materiel, and training competencies for the petroleum refinery, responding, and supporting organizations relevant to emergency management, response, recovery, and support functions;
- The petroleum refinery shall incorporate worker and community safety elements into the drills and exercises.
- Test organizational capabilities and capacities, including notification systems and procedures;
- At least once triennially, conduct a full scale exercise, involving external resources and organizations involved in emergency support and response, including: air districts, fire department(s) or other governmental and non-governmental agencies, and responding and supporting personnel and non-governmental organizations (NGO's);
- Include a description of the process used to evaluate the effectiveness of drills and exercise; and an improvement plan.



(6)

- Plans and procedures, including provisions for ensuring fixed and mobile emergency air monitoring and detection systems, both within the petroleum refinery and in the area within the geographic primary zone designated in 2765.3(b).

## (d)-(e)

- The owner or operator of the petroleum refinery shall closely coordinate with the UPA to ensure the required documentation for the Emergency Response Program is sufficient to comply with this section.
- Existing documents to meet some, or all, of the requirements of this section as appropriate may be included as appendices.

AREA PLAN REGULATION  
DRAFT PROPOSED  
AMENDMENTS – APPLICABLE  
TO UPAS WITH PETROLEUM  
REFINERIES

# § 2723. Pre-Emergency Planning.

## (h)(1)-(2)

- In addition to the above requirements Area Plans for UPA's with petroleum refineries within its jurisdiction shall also include, but not be limited to:
  - ▣ A description of the emergency management duties and authorities that may be exercised by the Local Health Officer or designee, including shelter in place and evacuation authority and communicating and coordinating the release of health related information;
  - ▣ A description of the overall public and private resources available to address emergency response to onsite and offsite impacts of a release or threatened release, including the process for accessing mutual aid, and how public and private resources fit into the emergency management organizational structure, readiness, capabilities and capacities;

# (3)-(4)

- A description of the use and establishment of a Unified Command, joint operations such as within an Incident Command Post and Emergency Operations Center, and a Joint Information Center. Unless the public sector Incident Commander determines otherwise a Unified Command and Joint Information Center shall be established whenever there are two or more agencies having jurisdiction;
- Provisions to ensure other regulatory agencies have an opportunity to review and comment on the Area Plan.

# § 2724. Notification and Coordination.

## (f)(1)-(5)

- a description of the emergency communication plan, for any release or threatened release from petroleum refineries within the UPA' s jurisdiction. The description shall include, but not be limited to emergency communication with the refinery and, with and between, public, private, and non-governmental response organizations with regard to the following:
  - identification and utilization of primary and alternative forms of emergency communications among public, private, and non-governmental response organizations such as petrochemical mutual aid organizations;
  - radio communications interoperability;
  - protocols for establishing and using interoperable command and tactical designations;
  - the regular testing and maintenance schedule of the communication system; and
  - a description of existing physical and technological gaps, and a process to minimize or eliminate those gaps.

## (g)-(i)

- A description and identification of emergency air monitoring and warning notification systems for use during a release or threatened release from petroleum refineries within the UPA's jurisdiction.
- Description of the procedures for coordinating and implementing recommended public protective actions, such as evacuations and shelter-in-place orders- including, potential sites to be evacuated and collection points based on the geographic zones;
- Description of how the emergency procedures are tested.

# § 2725. Training.

## (b)(1)-(3)(A)

- a description of how the petroleum refinery will provide for incorporating cooperating and participating organizations, and regulatory agencies in exercises conducted by the petroleum refineries within UPA jurisdiction. The description shall address the following:
  - ~~training and exercise schedules to prepare for response to any release or threatened release at petroleum refineries; and~~
  - petroleum refineries planned exercises that include petroleum refineries' technical personnel, mutual aid organizations, agencies having response and/or regulatory responsibilities including air districts, onsite fire brigades and offsite fire departments as required pursuant to Section 2765.3.



# § 2726. Public Safety and Information.

## (g)(11)(A)-(C)

- For UPAs with petroleum refineries within their jurisdiction, the area plans shall include:
  - Provisions to address communication with emergency response and community organizations- following a release or threatened release;
  - Provisions to address community outreach, including but not limited to: health care facilities, schools, prisons, daycare centers, transit agencies, railroads, utilities, employers who may have workers in the field, and locations where large numbers of people congregate, such as sporting, shopping and cultural centers; and
  - Provisions to notify and coordinate among contiguous jurisdictions when an incident crosses jurisdiction boundaries.

# For more information:

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